

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	4:04CR3140
v.)	
)	
JOSEPH W. MONDAY,)	ORDER
)	
Defendant.)	

The court has been advised that the defendant will not enter a plea of guilty, but wishes to have a hearing on his previously filed motion to suppress.

IT THEREFORE HEREBY IS ORDERED:

1. Defendant Monday's change of plea hearing that was set for July 18 is cancelled and an evidentiary hearing on his motion to suppress evidence, filing 29, will be held before the undersigned on August 16, 2005 at 9:00 a.m. in Courtroom #2, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska. The hearing is scheduled for a duration of two hours. In the event counsel believe additional time is or may be necessary, they should contact my courtroom deputy as soon as practicable.

2. Copies of all exhibits expected to be offered into evidence during the hearing, except those to be used for impeachment only, shall be delivered to the chambers of the undersigned at least two working days prior to the hearing.

3. The trial of this case, as pertains to ALL defendants, is continued until further order of the court following resolution of outstanding motions.

Dated July 6, 2005

BY THE COURT

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge